

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JULIE KELLY, as General Manager of
THE NEW YORK-NEW JERSEY REGIONAL JOINT BOARD,
WORKERS UNITED, A/W SEIU, and its subordinate
bodies, LOCAL 340 and LOCAL 25

Plaintiffs,

v.

MARK GASTON PEARCE, as Chairman and
Member, and KENT HIROZAWA, PHILIP MISCIMARRA,
HARRY JOHNSON, III, and LAUREN MCFERRAN as
Members of the NATIONAL LABOR RELATIONS BOARD

Defendants.

1:15-cv-05117-CM

**NOTICE OF MOTION
TO DISMISS**

PLEASE TAKE NOTICE, that upon the Memorandum of Law and accompanying exhibits, Defendants shall move this Court, before the Honorable Colleen McMahon, at the Courthouse located at 500 Pearl Street, New York, NY 10007-1312, at a date and time to be determined by the Court, to dismiss the Plaintiffs' Complaint and deny Plaintiffs' request for an injunction vacating the decision of the National Labor Relations Board in NLRB case number 02-UC-062745 dated December 18, 2014.

Dated: August 14, 2015

Respectfully submitted,

/s/ Dawn L. Goldstein
Dawn L. Goldstein
Supervisory Attorney
National Labor Relations Board
Contempt, Compliance, and Special Litigation Branch
1015 Half Street, S.E.
Room 4017
Washington, DC 20570
(202) 273-2936
Dawn.Goldstein@nlrb.gov
admitted *pro hac vice*

Matthew Bruenig
Attorney
(202) 273-3831
mbruening@nlrb.gov
admitted *pro hac vice*